

CHAPTER 13 PLAN 1 of 3
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI

CASE NO: **17-13534**Median Income: ☐ Above ☒ BelowDebtor **Robert L. Fair** SS#XXX-XX-**6494** Current Monthly Income \$ **1,902.21**Jt. Debtor _____ SS#XXX-XX-_____ Current Monthly Income \$ **861.17**Address **3451 Fair Oaks Dr. Belden, MS 38826** No. of Dependents **2**

THIS PLAN DOES NOT ALLOW CLAIMS. Creditors must file a proof of claim to be paid under any plan that may be confirmed. The treatment of ALL secured and priority debts must be provided for in this plan.

PAYMENT AND LENGTH OF PLAN

The plan period shall be for a period of **58** months, not to be less than 36 months for below median income debtor(s), or less than 60 months for above median income debtor(s).

- (A) Debtor shall pay \$ **572.00** per (☐ monthly, ☐ semi-monthly, ☐ week, or ☒ bi-weekly) to the Chapter 13 Trustee. Unless otherwise ordered by the Court, an Order directing payment shall be issued to Debtor's employer at the following address:

Walmart**702 S.W. 8th St.****Bentonville, AR 72716**

- (B) Joint Debtor shall pay \$ _____ per (☐ monthly, ☐ semi-monthly, ☐ weekly, or ☐ bi-weekly) to the Chapter 13 Trustee. Unless otherwise ordered by the Court, an Order directing payment shall be issued to Debtor's employer at the following address:

PRIORITY CREDITORS. Filed claims that are not disallowed to be paid in full or as ordered by the Court as follows:

Internal Revenue Service: \$ _____ @ \$ _____ /mo

MS Dept. of Revenue: \$ _____ @ \$ _____ /mo Other/ _____ : \$ _____ @ \$ _____ /mo

DOMESTIC SUPPORT OBLIGATIONS. DUE TO:

POST PETITION OBLIGATION: In the amount of \$ _____ per month beginning _____.
 To be paid ☐ direct, ☐ through payroll deduction, or ☐ through the plan.

PRE-PETITION ARREARAGE: In the amount of \$ _____ through _____ which shall be paid in the amount of \$ _____ per month beginning _____.
 To be paid ☐ direct, ☐ through payroll deduction, or ☐ through the plan.

HOME MORTGAGES. All claims secured by real property which are to be paid through the plan shall be scheduled below. Absent an objection by a party of interest, the plan will be amended consistent with the proof of claim filed herein, subject to the start date for the continuing monthly mortgage payment proposed herein **INCLUDES: Insurance: ☒ Taxes: ☒**

MTG PMTS TO: Seterus BEGINNING 11/1/2017 @ \$ 478.91 ☒ PLAN () DIRECT

MTG PMTS TO: _____ BEGINNING _____ @ \$ _____ () PLAN () DIRECT

MTG PMTS TO: _____ BEGINNING _____ @ \$ _____ () PLAN () DIRECT

MTG ARREARS TO: Seterus THROUGH 10/31/2017 \$ 3,554.48 @ \$ 61.28 /MO

MTG ARREARS TO: _____ THROUGH _____ \$ _____ @ \$ _____ /MO

MTG ARREARS TO: _____ THROUGH _____ \$ _____ @ \$ _____ /MO

Debtor's Initials **/s/RLF** Joint Debtor's Initials _____CHAPTER 13 PLAN, PAGE 1 OF **3**

MORTGAGE CLAIMS TO BE PAID IN FULL OVER PLAN TERM:

<u>CREDITOR'S NAME</u>	<u>COLLATERAL</u>	<u>APPROX. AMT. OWED</u>	<u>VALUE</u>	<u>INT. RATE</u>	<u>TOTAL AMT. TO BE PAID</u>	<u>MONTHLY PAYMENT</u>
_____	_____	_____	_____	_____ %	_____	_____

NON-MORTGAGE SECURED CLAIMS. Creditors that have filed claims that are not disallowed are to retain lien(s) pursuant to 11 U.S.C. § 1325(a)(5)(B)(i)(I) until the payment of the debt determined as under non-bankruptcy law or discharge. Such creditors shall be paid as secured claimants the sum set out below or pursuant to other order of the Court. The portion of the claim not paid as secured shall be treated as a general unsecured claim.

<u>CREDITOR'S NAME</u>	<u>COLLATERAL</u>	<u>910* CLM</u>	<u>APPROX. AMT. OWED</u>	<u>VALUE</u>	<u>INT. RATE</u>	<u>TOTAL AMT. TO BE PAID</u>	<u>MONTHLY PAYMENT</u>
CarMax Auto Finance	'13 Ford Escape	X	\$18,392.39	\$11,632.50	5 %	\$20,742.34	\$357.63
Platinum Rental LLC	PMS Storage Building		\$1,582.48	\$1,500.00	5 %	\$1,784.67	\$30.77
Express Check Advance	Title Loan for '01 Ford F 150		\$2,121.53	\$8,010.00	5 %	\$2,392.59	\$41.25
_____	_____	_____	_____	_____	_____ %	_____	_____
_____	_____	_____	_____	_____	_____ %	_____	_____
_____	_____	_____	_____	_____	_____ %	_____	_____

*The column for "910 CLM" applies to both motor vehicles and "any other thing of value" as used in the "hanging paragraph" of 11 U.S.C. § 1325

SPECIAL CLAIMANTS including, but not limited to, co-signed debts, abandonment of collateral, direct payments by Debtor, etc. For all abandoned collateral Debtor will pay \$0.00 on the secured portion of the debt. Where the proposal is for payment, creditor must file a proof of claim to receive proposed payment.

<u>CREDITOR'S NAME</u>	<u>COLLATERAL OR TYPE OF DEBT</u>	<u>APPROX. AMT. OWED</u>	<u>PROPOSAL TO BE PAID</u>
Acceptance Now	2 mattress sets & dresser	\$1,238.85	ASSUME LEASE-PAY DIRECT
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

STUDENT LOANS which are not subject to discharge pursuant to 11 U.S.C. §§ 523(a)(8) and 1328(c) are as follows (such debts shall not be included in the general unsecured total):

<u>CREDITOR'S NAME</u>	<u>APPROX. AMT. OWED</u>	<u>CONTRACTUAL MO. PMT.</u>	<u>PROPOSED TREATMENT</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SPECIAL PROVISIONS which may apply to any or all payments to be paid through the plan, including, but not limited to, adequate protection payments:
The Individual plan payments to creditors shall constitute adequate protection payments to Creditors pursuant to this Court's standing order.

GENERAL UNSECURED CLAIMS total approximately \$ **4,947.94**. Such claims must be **timely filed** and not disallowed to receive payment as follows: _____ IN FULL (100%), **0** % (percent) MINIMUM, or a total distribution of \$ **0.00**, with the Trustee to determine the percentage distribution. ***Those general unsecured claims not timely filed shall be paid nothing, absent order of the Court.***

****Debtors will pay 0 to all unsecured creditors whose claims are unenforceable because they are barred by statute of limitations.**

Total Attorney Fees Charged \$ **3,400.00**

Pay administrative costs and debtor's attorney fees pursuant to Court Order and/or local rules.

Attorney Fees Previously Paid \$ **0.00**

Attorney fees to be paid through the plan \$ **3,400.00**

Name/Address/Phone # of Vehicle Insurance Co./Agent
Safeway
P.O. Box 24
Tupelo, MS 38802

Attorney for Debtor (Name/Address/Phone #/Email)

MITCHELL & CUNNINGHAM
R. GAWYN MITCHELL, 3383
P.O. Box 7177
Tupelo, MS 38802
Telephone 662-407-0408
kimbowling@mitchellcunningham.com

Telephone/Fax **662-844-1136**

DATE: **10/5/2017**

DEBTOR'S SIGNATURE **/s/Robert L. Fair**

JOINT DEBTOR'S SIGNATURE _____

ATTORNEY SIGNATURE **/s/R. Gawyn Mitchell**